

### **REMARKS**

A new declaration is included with this response in accordance with the instructions in the Office Action dated August 22, 2007.

In the above noted Office Action, the Examiner rejected pending claims 1 – 25 under 35 U.S.C. § 102(b) as being anticipated by Brim, U.S. Patent No. 5,118,105 and Nickerson, U.S. Patent No. 6,041,266, under 35 U.S.C. § 102(e) as being anticipated by Russo, U.S. Patent No. 6,710,713 and under 35 U.S.C. § 103(a) as being unpatentable over Brim. Further, the Examiner states that the claimed invention is disclosed in Form et al., U.S Patent No. 5,198,976, Fisher, U.S Patent No. 5,507,485, Erdelyi, U.S Patent No. 6,631,522, Miguel et al., U.S Patent No. 5,593,349, Valero Moreno, U.S. Patent Application Publication No. 2005/0075153 and Ortiz et al., U.S. Patent Application Publication No. 2003/0112354. Claims 1, 2, 9 – 11, 14 -- 17, 22, and 24 have been deleted. Claims 3 – 8, 12 – 13, 18 – 20, 21, 23, 25, and newly added claims 26 – 36 as set forth hereinabove more particularly point out features of the invention that distinguish it from the cited references.

Four of the cited references disclose scoring or analyzing programs for team sports in which performance of the team is determined by adding the scores of each individual team member. Brim, U.S. Patent No. 5,118,105 and Form et al., U.S Patent No. 5,198,976 are directed to bowling; Fisher, U.S Patent No. 5,507,485 is directed to golf; and Miguel et al., U.S Patent No. 5,593,349 scores electronic darts. In these types of sports, each player performs independently of the other players, and the individuals' independent scores are totaled for a team score. Entries to the systems disclosed in these references consist of contest events, rather than possession information indication

movement of the object of the game from one player to another. Essentially, no cooperation between team members is required to achieve a score in these types of games, and no strategy is employed to prevent the opposing team from achieving a score. In other words, there is not an offensive team and a defensive team.

Independent claims 21, 23, and 25 have been amended and are now directed to sports contests including offensive and defensive competitive interaction between at least a first team and a second team in opposition therewith. According to the invention, a user supplies an input or entry related to events of the sports contest. Based on the input or entry, a particular contest related event is determined. Specifically, in claim 21 possession input, indicating the player in possession of the primary object of play, is interpreted to determine an event. According to the systems disclosed in the references, however, events are determined by the user observing the play and directly recorded as such. In contrast, as seen in claims 23 and 25, during a fast paced or timed sports contest, entries provided by the user are used to deduce the contest event, or the user may be prompted for additional entries that may be used to determine the contest event. Using a basketball example, according to the invention, consecutive inputs or entries indicating possession by a player of the basketball are interpreted as a game event -- a pass if the players are on the same team or a turnover if the players are on opposite teams. Newly added independent claims 26 and 33 are directed to team sports, such as basketball, that involve movement by cooperative actions of team members of a game object for the purpose of securing a team score by advancing the game object to or through a goal object. According to the claims of the invention, players of the sports contest interact with team members and opposing team members to achieve a goal and/or frustrate the

opposing team's attempt to achieve a goal. Because of the reasons stated above, the invention, as claimed, is distinguishable from the Brim, Form, Fisher, and Miguel references in which the game does not depend on interaction between players and/or teams.

Nickerson, U.S. Patent No. 6,041,266 is directed to an electronic automated scorekeeper for a baseball game. The present invention is distinguishable from this reference, because the Nickerson scorekeeper requires the user to enter the actual contest events through a specialized keyboard. The present invention uses information regarding possession of the game object to deduce events as they occur. For example, Nickerson at column 4, lines 31 –33 details the use of event keys to indicate whether a pitch is a ball, a strike, or hit. For the same example, according to the present invention, a ball or a strike may be deduced from consecutive entries indicating possession of the ball by the pitcher and the catcher, while a hit may be deduced from consecutive entries indicating possession of the ball by the pitcher and the batter, and possibly the fielder to which the ball was hit. The examples found in Nickerson at column 4, line 48 through column 6, line 9 illustrate the heavy reliance on the specialized keyboard, event keys, and the input exclusively of contest events, i.e. fielder's choice, double play, base hit, error, and the like. While the present invention, as claimed, accommodates direct entry of some contest events, it has the important additional capability of interpreting game object possession information and determining the contest event therefrom. For these reasons, the present invention is an improvement over, and distinguishable from, the Nickerson reference.

Cited reference Russo, U.S. Patent No. 6,710,713 is directed to a method and apparatus for tracking athletes during team competition, analyzing the performance of the

athletes, and displaying motion picture images of the athletes along with selected measured and derived data about the motion of the athletes. Accordingly, the Russo system gathers real time position information for the athletes creating a database of (x, y, z, t) coordinate information for analysis of each athlete's performance during recorded game events. The gathered information is used in coordination with previously recorded game events and could not be utilized for real time identification of game events. The present invention, however, is also distinguishable from this reference because it tracks possession of the object of the game, such as a basketball, to deduce and/or identify game events, such as a pass, a rebound, a turnover, and the like.

Turning now to the remaining cited references, Erdelyi, U.S. Patent No. 6,631,522, is directed to a system for indexing, sorting and displaying a video database; Valero Moreno, U.S. Patent Application Publication No. 2005/0075153 discloses a system and method to capture the performance of the players of coin-operated amusement machines; and Ortiz et al., U.S. Patent Application Publication No. 2003/0112354 is directed to a method and system for transmitting and displaying venue-based in-play camera views at a hand held device. None of these references disclose a real time system and/or method for tracking events of a sports contest based, in part, on entries tracking possession of the game object or ball as claimed in the present application.

Applicants believe independent claims 21, 23, and 25, as amended, newly added independent claims 26 and 33 as well as claims 3 – 8, 12 – 13, 18 – 20, 27 – 32, and 34 – 36 depending therefrom, are now in condition for allowance. These claims, including claims 26 – 36 that have been added, specifically point out and identify features of the invention as discussed hereinabove that clearly distinguish the present invention from the

cited references. Claims 1 – 2, 9 – 11, 14 – 17, 22, and 24 have been canceled.

Applicants believe that all the pending claims of this application contain limitations which patentably distinguish them over the cited prior art, and their allowance is hereby respectfully requested.

If the Examiner has any comments or suggesting for placing the present claims in better condition for allowance, or prior to issuing a final office action, Applicant's undersigned attorney would appreciate a telephone call at the number indicated below.

Authorization is hereby provided to charge any underpayment of fees or any additional fees due with respect hereto to our Deposit Account No. 08-1280.

Respectfully submitted,

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